

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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**IN THE MATTER of the Complaint of Theresa)
Tran and Chicago Aquileisure, LLC. Individually)
and as owners and/or owner pro hac vice of the) No. 1:22-CV-6478
vessel LA AQUA VIDA, Official Number)
GFNCY003E20 & DOCUMENTATION)
#1155272, for Exoneration from or)
Limitation of Liability)
)**

JACOB HOULE'S MOTION TO ENLARGE TIME TO FILE CLAIM

NOW COMES JACOB HOULE, (hereinafter also “Houle”) by his attorneys, and pursuant to Rule F (4) of Federal Rules of Civil Procedure – Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions, moves this Honorable Court to Enlarge the Time to File his Claim in this case by twenty-one (21) days, or such other time as allowed by the Court, and says further in support thereof, as follows:

- 1.) That Houle has a personal injury claim against the petitioning owners of the vessel in this cause arising from the same incident pled therein.
- 2.) That Houle and his counsel were unaware of this federal action and any claims bar until February 8, 2023 when informed by the petitioners’ counsel via email and received certain copies of the pleadings and orders, including the restraining order against filing separate lawsuits against the vessel owners. Houle’s counsel had a telephone call with petitioner’s counsel who indicated that he would check with his client as to whether this motion would be opposed, he indicated that if the motion is filed immediately, it is less likely to be opposed.

- 3.) That the first claims bar set by this Court was January 25, 2023.
- 4.) That HOULE retained counsel in this matter on or about December 12, 2022 and counsel diligently researched the incident and investigated responsible parties and finally in late January 2023 was able to ascertain the identity of owners' insurer representative Sedgwick.
- 5.) That on or about Monday January 30, 2023 HOULE's counsel, Gregory Armstrong received a call back from Karen Songdahl of Sedgwick and was instructed to send an email with details of the claim. HOULE's counsel immediately then sent an email with details of the Claim and a copy of a drafted, but unfiled Complaint at Law, which gave notice of Houle's claims in detail. On February 8, 2023, HOULE's counsel then received notice of this proceeding from petitioner's counsel Randall W. Slade of Franco Moroney Buenik LLC. HOULE's counsel then followed up with a phone call to Mr. Slade indicating he would take immediate action to seek leave to promptly file HOULE's claim in this action.(Copies of said emails are attached hereto and made part hereof as Exhibit "A").
- 6.) That January 25, 2023 was the first claims bar set by this Court; this motion is timely brought only 14 days later, delay was not intentional or negligent, does not delay this cause, facilitates the orderly administration of this cause, and causes no prejudice to any parties.
- 7.) That Rule F(4) states in pertinent part as follows: "*For cause shown, the court may enlarge the time within which claims may be filed.*"

Respectfully submitted,

JACOB HOULE

By: /S/ Gregory C. Armstrong
One of his attorneys - Gregory C. Armstrong

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NOTICE OF FILING/PROOF OF SERVICE

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that on February 8, 2023 the foregoing Motion to Enlarge Time to File Claim was filed with the Clerk's electronic filing system which automatically sent notification of such filing to all registered users who have entered appearances in this case.

/s/ *Gregory C. Armstrong*

GREGORY C. ARMSTRONG

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